THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.12902 OF 1996

DATED: 06-02-2007

Between:

K. Appa Rao and another

.. Petitioners

and

Government of Andhra Pradesh represented by its Secretary, Agriculture & Cooperation Department and others.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.12902 OF 1996

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the respondents in not paying the salaries to the petitioners in accordance with the new scales as per Government Memo No.5661/Coop.III/2/91-1 dated 14.10.1991 of the 1st respondent, as arbitrary and illegal.

It appears, the petitioners were being paid their salaries as per the Government Memo No. 5661/Coop.III/2/91-1 dated 14.10.1991. While that being so, a notice under Section 60 (1) of the A.P. Co-operative Societies Act, 1964, dated 14.06.1996 was issued by the 3rd respondent contemplating to recover certain sums purported to have been paid to the petitioners in excess of their eligibility. Aggrieved by the same, the present writ petition is filed.

While admitting the writ petition on 05.07.1996, this Court passed an interim order directing the respondents not to recover the amounts from the petitioners, as contemplated in the impugned notice.

Now, the learned counsel for the petitioners states that the Government of Andhra Pradesh issued G.O.Ms.No.308 (Agriculture and Cooperation Department) dated 30.12.2006 regularizing the excess payments made before issuing the impugned proceedings.

In view of the same, nothing survives in this writ petition for adjudication.

Therefore, the writ petition is closed recording the aforesaid statement. There shall be no order as to costs.

C.V. RAMULU, J

6th February 2007.
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